

Town Board Minutes

Meeting No. 13

Special Meeting

May 5, 1997

MEETINGS TO DATE 13
NO. OF REGULARS 8
NO. OF SPECIALS 5

LANCASTER, NEW YORK
MAY 5, 1997

A joint meeting of the Town Board and the Planning Board of the town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of May 1997, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
REBECCA ANDERSON, PLANNING BOARD CHAIRMAN
JOHN GOBER, PLANNING BOARD MEMBER
DAVID MARRANO, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: FRANK DE CARLO, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
SALVATORE'S GARDEN PLACE HOTEL ADDITION SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Salvatore's Garden Place Hotel Addition matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER STEMPIAK, WHO MOVED ITS
ADOPTION, SECONDED BY PLANNING BOARD
CHAIRMAN ANDERSON, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
SALVATORE'S GARDEN PLACE HOTEL ADDITION SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.75 acres.

The location of the premises being reviewed is situate on the east side of Transit Road, south of the New York State Thruway.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)

- C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
No adverse effects noted
- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No adverse effects noted
- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No adverse effects noted
- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No adverse effects noted
- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
No adverse effects noted
- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
No adverse effects noted
- C.7 Other impacts (including changes in use of either quantity or type of energy).
No adverse effects noted
- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

May 5, 1997

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and
and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

May 5, 1997

**IN THE MATTER OF THE TABLED SEQR REVIEW OF THE
AHEPA #91 SENIOR CITIZENS APARTMENTS SITE PLAN MATTER**

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed AHEPA #91 Senior Citizens Apartments site plan matter with a review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

Particular attention was directed to Item No. 11 "Impact On Aesthetic Resources" and Item No. 19 "Impact on Growth and Character of Community or Neighborhood". Both of these items were identified as having a potentially large impact at a meeting of the Municipal Review Committee held on April 14, 1997. After discussion, it was concluded that these two items, though potentially large in nature, would not have a significant impact such that it would be deemed an important impact. Based upon this conclusion, these two items were deemed to have a small to moderate impact on the environment.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SZYMANSKI,
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD CHAIRMAN ANDERSON, TO
WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
AHEPA #91 SENIOR CITIZENS APARTMENTS SITE PLAN MATTER
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 6.3± acres.

The location of the premises being reviewed is on the east side of N. Maple Drive, south of Wehrle Drive.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.

8. The proposed action will have a small to moderate impact on threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will have a small to moderate impact on aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not impact on the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will be small to moderate objectionable odors, noise, or vibration as a result of this proposed action during construction only.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate impact on the growth and character of the existing community.
20. There is public controversy related to potential adverse environmental impacts.

SEAL

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

May 5, 1997

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED NO
COUNCIL MEMBER STEMPNIAK	VOTED NO
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED NO
PLANNING BOARD MEMBER MARRANO	VOTED NO
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

May 5, 1997

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:35 P.M.

Robert P. Thill, Town Clerk

Town Board Minutes

**Meeting
No. 14**

Regular Meeting

May 5, 1997

MEETINGS TO DATE 14
NO. OF REGULARS 9
NO. OF SPECIALS 5

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LANCASTER, NEW YORK
MAY 5, 1997

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of May 1997 at 8:00 P.M. and there were

PRESENT: DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
THOMAS FOWLER, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR

EXECUTIVE SESSION:

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY CARRIED, the Town Board voted at 9:50 P.M. to deliberate in Executive Session for the announced purpose of discussing a personnel matter.

At 10:20 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:
Rats at the Tops Distribution Center.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matter:
How C.I.D. collects bottles and cans.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Opposed four year term for Supervisor.
- Objected to the approval of a site plan for Casey Machine Company, Inc. adopted at the Special Town Board meeting held March 27, 1997.

Sherlein, Jack, 5 Alyssum Court, spoke to the Town Board on the following matter:

Expressed displeasure at the adoption of a negative SEQR declaration for the AHEPA Senior Housing Project.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to Article XVI, Safety Zones, of the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

ADDRESS

Shirley Jaskier

10 Hidden Trail

OPPOSERS

ADDRESS

None

COMMENTS & QUESTIONS

ADDRESS

None

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone petition of Benderson Development Co., Inc. for a rezone of property located on the east side of Transit Road, south of Wehrle Drive in the Town of Lancaster from GB-General Business Districts to a CMS-Commercial Motor Service District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

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Robert D. Alonzo, representing the petitioner.
Don Howell, Project Manager, Sears & Roebuck
Kevin Murray, Consultant for Sears and Roebuck

OPPOSERS

ADDRESS

None

COMMENTS & QUESTIONS

ADDRESS

Gloria Kubicki

15 Maple Drive

ON MOTION BY COUNCIL MEMBER , AND SECONDED BY COUNCIL
MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed
at 9:10 P.M.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board
held on April 21, 1997 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, the services of the Election Inspectors of the Town of Lancaster will
be needed for conducting the election process of the Town of Lancaster during the year 1997.

NOW, THEREFORE, BE IT

RESOLVED, that during the year 1997, the Election Inspectors of the Town of
Lancaster be paid as follows:

Primary Day (polls open 15 hours)	- \$106.65
Election Day (polls open 15 hours)	- \$106.65
Election Inspectors' Training School Attendance	- \$ 21.33

and,

BE IT FURTHER

RESOLVED, that the Chairman of the Inspectors at each Polling Place be paid
an additional \$30.00 for the Primary and Fall Election Days.

The question of the adoption of the following resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

FILE: Annual o (P16)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA. WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER. TO WIT:

WHEREAS, on January 6, 1997, the Town Board adopted a schedule of salaries for
Town employees who are members of the CSEA White Collar Unit, and

WHEREAS, the negotiations for the CSEA White Collar Unit have been finalized.

NOW, THEREFORE, BE IT

RESOLVED, that the Schedule of Salaries adopted January 6, 1997, be and hereby is
amended retroactive to January 1, 1997, and

BE IT FURTHER

RESOLVED, that the following Schedule of Salaries be and hereby is adopted for the
CSEA White Collar Union employees for the year 1997 (Amounts represent annual salaries unless
otherwise specified)

TO BE PAID BI-WEEKLY

Assessor, Clerk Typist (Cox)	26,473.00
Assessor, Real Property Appraiser (Hanley)	33,440.00
Assessor, Real Property Cost Estimator (Mazur)	30,176.00
Building Inspector, Assistant (Simme)	33,270.00
Building Inspector, Assistant (Campisano)	33,270.00
Building Inspector, Building/Zoning Clerk (Garcia)	26,473.00
Court, Clerk Typist (Kane/Graber)	26,473.00
Engineer, Construction Inspector (Smith)	33,270.00
Engineer, Supervising Clerk (Augustine)	30,053.00
Fire Inspector (Blair)	33,270.00
Highway, General Foreman (Cacciotti)	20.93 per hour
Highway, Maintenance Clerk (Zipp)	26,473.00
Highway, Mechanic Foreman (Gailey)	20.93 per hour
Receiver of Taxes, Sr. Data Processing Control Clerk (Stock)	30,053.00
Recreation, Clerk-Typist (Gryczynski)	26,473.00
Recreation, Laborer Aides (Dudas/Hoffman/Mikula)	11.69 per hour
Recreation, Laborers (Gangloff/Giroux/ Lubera/ Perillo)	15.83 per hour
Supervisor, Sr. Clerk Stenographer (Greco)	34,837.00
Town Clerk, Deputy (Kucharski)	34,315.00
Youth Bureau, Account Clerk Typist (Dwyer)	30,053.00
Youth Bureau, Program Coordinator (Pernick)	28,085.00
Youth Bureau, Youth Counselors (McEwen/Schannec)	31,684.00

and.

BE IT FURTHER

RESOLVED, that retroactive pay resulting from these amendments be paid with the
employees' regularly scheduled pay check at the earliest possible convenience..

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Section 4-104(5) of the Election Law of the State of New York provides for consolidation of election districts located within the same polling place in Primary Elections if the candidates of each district are the same on each voting machine and the consolidation results in less than 1200 voters in a consolidated polling place, and

WHEREAS, the Town Clerk has informed the Town Board that he wishes to take advantage of Section 4-104(5) of the Election Law to save taxpayers \$7,650.00 in inspector payroll costs and over \$1,000. in voting machine delivery costs, and

WHEREAS, the Town Clerk has assured the Town Board that no voter will be inconvenienced by the consolidation since only districts located within the same polling place will be consolidated.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to petition the Erie County Board of Elections for permission to consolidate election districts within the Town of Lancaster for the September 9, 1997 Fall Primary pursuant to the provision of Section 4-104(5) of the Election Law of the State of New York, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to take any further action necessary to effect the purpose and interest of this consolidation resolution

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter
dated April 23, 1997, has requested the addition of a member to the active roster of said fire
association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Twin District Volunteer Fire Company, Inc. of the
following individual:

ADDITION

Kim Saelzler
4887 William Street
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

WHEREAS, R.J.F. Development, J.V., 5653 Broadway, Lancaster, New York ,
has applied to the Town Board of the Town of Lancaster for permits to construct Public
Improvements upon real property in the Town of Lancaster within Village on the Park, Phase III
Subdivision.

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit applications that he has reviewed the improvement plans and permit
applications for the installation of the public improvements requested, and that they conform to
the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Applications Nos.456, 457 and
458 of R.J.F. Development, J.V., 5653 Broadway, Lancaster, New York, for the installation of:

- | | |
|---------------------------------------|--|
| P.I.P. No. 456 -
(Pavement & Curb) | Installation of 2,140 L.F. of 20" upright curb with
underdrain and 33,260 s.f. of asphalt pavement
(8", 4", 2" and 1") |
| P.I.P. No. 457 -
(Storm Sewer) | Installation of 820+/- L.F. of various size storm
sewers, and 1,200 L.F. of backyard drainage along with
receivers and manholes. |
| P.I.P. No. 458 -
(Waterline) | Installation of 950 L.F. of 8" waterline, 2 ea. Tn. of
Lancaster hydrant assemblies and all required
appurtenances. |

be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

WHEREAS, on January 6, 1997, the Town Board adopted a schedule of salaries for non-union Town employees, and

WHEREAS, the Town Board adopted the above mentioned schedule of salaries with the intention that said schedule would be subject to change upon the finalization of contract negotiations with the CSEA White Collar Unit so as to grant the same salary increases to the non-union employees as were negotiated by the White Collar Unit, and

WHEREAS, a new contract between the Town and the CSEA White Collar Unit was approved by the Town Board on April 21, 1997 with salary increases retroactive to January 1, 1997,

NOW, THEREFORE, BE IT

RESOLVED, the Schedule of Salaries for non-union employees adopted January 6, 1997 be and hereby is amended effective January 1, 1997 as follows (amounts represent annual salaries unless otherwise specified):

TO BE PAID BI-WEEKLY

Assessor (Fusco)	44,185 00
Building Inspector (Lancy)	44,185 00
Court. Clerk Typist (Filipowicz/Feldmann)	26,473 00
Court. Clerk, P.T. (Kane)	3,581 00
Dog Control. Officer (Wehner)	29,215 00
Drainage Officer, P.T. (Labenski)	3,804 00
Engineer (Labenski)	56,077 00
Police, Sr. Clerk Typist (Freund)	33,534 00
Receiver of Taxes, 1st Deputy (Lewandowski)	33,270 00
Receiver of Taxes, 2nd Deputy (Macko)	26,473 00
Recreation, Director II P.T.	14 63 per hour
Recreation, Clerk Typist, P.T. (Piccolo)	14 55 per hour
Recreation, General Crew Chief	41,278 00
Recreation, Supervisor's Assistant, Sr. Citizen P.T. (Piccolo)	14 55 per hour
Recreation, Supervisor's Assistant, Sr. Citizen P.T. (Gorenflo)	14 55 per hour
Supervisor, Assistant (Fialkiewicz)	30,053 00
Supervisor, Dir. of Administration and Finance (Brown)	45,980 00
Supervisor, Secretary (Palano)	30,053 00
Town Attorney (Sherwood)	46,453 00
Town Attorney, Clerk Stenographer (Scroger)	31,684 00
Town Clerk, Clerk P.T. on step (Nowak/Blank)	
Full is \$14.54 per hour	
85% 1821-2730 hours worked	12 37 per hour
90% 2731-3640 hours worked	13 10 per hour
95% 3641-4550 hours worked	13 82 per hour
100% hours exceed 4550	14 55 per hour
Town Clerk, Deputy (Derkovitz)	26,493 00
Town Clerk, Deputy (Perrello)	26,493 00
Youth Bureau, Executive Director (Trojanowsky)	41,949 00

and,

BE IT FURTHER

RESOLVED, that retroactive pay resulting from these amendments be paid with the

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK TO WIT:

WHEREAS, the Department Crew Chief, by letter dated April 30, 1997, has requested the following appointment as seasonal employees in the Parks and Recreation Department of the Town of Lancaster for the summer season of 1997,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of seasonal employee for the summer of 1997 in the Parks and Recreation Department of the Town of Lancaster at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
James Cohan (rehire) 2001 Como Park Blvd Lancaster, New York 14086	Laborer	\$5.75 hr.
David Davidzik (new hire) 1909 Como Park Blvd Lancaster, New York 14086	Laborer	\$5.00 hr.
Michael Dennis (rehire) 22 Mount View Place Lancaster, New York 14086	Laborer	\$5.25 hr.
Adam Mazurkiewicz (rehire) 31 Albert Drive Lancaster, New York 14086	Laborer	\$5.25 hr.
Kevin Moscrip (new hire) 17 Grace Way Lancaster, New York 14086	Laborer	\$5.00 hr.
Scott Olejniczak (rehire) 37 Southwest Pkwy Lancaster, New York 14086	Laborer	\$5.25 hr.
Mike Palano (new hire) 7 Idlebrook Court Lancaster, New York 14086	Laborer	\$5.00 hr.
Eric Przykuta (rehire) 60 Court Street Lancaster, New York 14086	Laborer	\$5.75 hr.
Bob Sansone (rehire) 41 Hidden Trail Lancaster, New York 14086	Laborer	\$5.50 hr.

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: RPERS.SUM (P7)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Section 24-a provides that the office of Town Supervisor may be charged to a four-year term by the Town Board resolution subject to confirmation by a vote of qualified electors at a biennial election with the term of office then changing, not in the election approved at, but in the next biennial election, and

WHEREAS, the Town Board has given due review and consideration to a proposition to change the term of office of Supervisor to four (4) years taking into account the fact that all other elective offices in the Town of Lancaster are four (4) year terms;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby resolves to establish the term of office of Supervisor of the Town of Lancaster as a four (4) year term effective January 1, 2000, pursuant to the enabling authority in Town Law §24-a upon the proposition for such change of length of term from two (2) years to four (4) years being affirmed by a majority of qualified electors at the next biennial election following adoption of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: rsuprofc

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MILLER , TO WIT:

WHEREAS, the Town Board has been apprised by the Chief of Police of the
need to have a disciplinary proceeding commenced in the Police Department, and

WHEREAS, the Town Board, after due review and consideration has determined
that it deems it appropriate to appoint a designated Hearing Officer to hold a Hearing and to be
vested with all the powers of the Town Board and who will further make a record of the Hearing
with his recommendations and will refer the matter to the Town Board for review and decision;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby designates
and appoints Leonard Berkowitz, Esq., 4513 S. Buffalo Street, Orchard Park, New York 14127,
to act as the Hearing Officer as aforesaid for disciplinary matters to be conducted under Article
75 of the Civil Service Law.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: rpolpsnl

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board by resolution on April 14, 1997, approved the
subdivision known as Centerbrook Subdivision, as revised to a lesser number of lots, and

WHEREAS, the full revised subdivision map cover had not been submitted by
the developer, but only his preliminary plan, and

WHEREAS, the Town Board deems it advisable to rescind the prior resolution
until such time as the full subdivision map cover is furnished to the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rescinds
Resolution No. 18 adopted by the Town Board on April 14, 1997, which had approved the
revised Centerbrook Subdivision.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: rrsdctbk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MILLER, TO WIT:

WHEREAS, the Town Board, by resolution adopted on October 21, 1996,
approved the rezone of property situate on the south side of Wehrle Drive, west of the
intersection of Harris Hill Road, from R1-Residential District One to GB-General Business
District for the purpose of construction of a dome-type facility for recreational type uses,
together with outdoor recreational playing fields, and

WHEREAS, the resolution set forth the conditions that if the use ceased or the
dome was removed that the zoning would revert back to R1-Residential District One zoning, and

WHEREAS, by an act of God the dome facility was destroyed and the property
owner has now proposed to replace the dome with a hard structure for the same intended
recreational uses, and

WHEREAS, the Town Board has given due review and consideration to the
catastrophic situation placed on the owner and the spirit and intent of the rezone and now deems
it in the public interest to amend the original conditions placed on the project with respect to the
dome removal to permit the property owner to replace the dome with a hard structure which will
not, in the consideration of the Town Board, violate the spirit and intent of this body in causing
the rezoning for recreational uses.;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby amends the
conditions on the original rezone of the property from R1-Residential District One to GB-
General Business District to permit the construction of a hard building in place of the dome
which was destroyed in a windstorm and which the Town Board deems is in keeping with the
spirit and intent of the original provisional rezone, as follows:

- The development on the site be limited to (1) the construction/installation of a hard building or extensions thereof for recreation related uses, which shall not exceed the square footage ground area of the dome facility which is being replaced, and (2) the installation of outdoor recreational fields; and that in the event the beforementioned uses cease, the parcel shall revert to R1-Residential District One.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, on April 14, 1997, Town Police Vehicle No. 22 was destroyed as a result of an accident, and

WHEREAS, Gulf Insurance Group, P.O. Box 446, Dallas, Texas has offered \$14,462.50 in settlement to the Town of Lancaster, which represents the full purchase price of the vehicle even though at the time of the accident the vehicle had 60,000 miles on it, and

WHEREAS, the Chief of Police has requested authorization to turn the vehicle over to Gulf Insurance Group, P.O. Box 446, Dallas, Texas, and accept the settlement offer of \$14,462.50,

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police of the Town of Lancaster be and hereby is authorized to accept the offer of \$14,462.50 from Gulf Insurance Group, P.O. Box 446, Dallas, Texas, in settlement of a claim for Town Police Vehicle No. 22 which was destroyed in an accident on April 14, 1997, and

BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is authorized to turn said vehicle over to Gulf Insurance Group, P.O. Box 446, Dallas, Texas.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, designated as Chapter 46 of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of May, 1997, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before May 8, 1997, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: rvtordh1.597

**LEGAL NOTICE
PUBLIC HEARING
PUBLIC HEARING**

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LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of May, 1997, the said Town Board will hold a Public Hearing on the 19th day of May, 1997, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

STOP AND YIELD INTERSECTIONS

§46-8, Stop Intersections designated, is hereby amended by adding thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Brunck Road	Seibert Road	N.E. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: ROBERT P. THILL
Town Clerk**

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK , TO WIT

WHEREAS, a Public Hearing was held on the 5th day of May, 1997 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster; and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 5, 1997;
3. That a Certified Copy thereof be published in the Lancaster Bee on May 8, 1997;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: rvtorda.597

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 46
ARTICLE XVI
SAFETY ZONES**

§46-24. Deaf children and blind children areas, (A) , shall be amended by adding thereto the following:

A.

(3) 10 Hidden Trail

May 5, 1997

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY that **I, ROBERT P. THILL**, Town Clerk of the **Town of Lancaster** in the said **County of Erie**, have compared the foregoing copy of an amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster with the original thereof filed in my office at Lancaster, New York, on the 5th day of May, 1997, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 5th day of May, 1997.

Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, Keith Wilkinson, Gelert Construction Corp., 5360 Genesee Street, Bowmansville, New York, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Lancaster Industrial Commerce Center,

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Applications Nos. 459, 460, and 461 of Keith Wilkinson, Gelert Construction Corp., 5360 Genesee Street, Bowmansville, New York, for the installation of:

P.I.P. No 461 (Detention Basin)	Clean and reshape existing detention pond to design dimensions. Spillway and concrete Weir w/24" steel casing pipe.
P.I.P. No. 460 (Storm Sewer)	295 L.F. 18" RCP. 1,074 L.F. 18" HDPE pipe. 28 L.F. 30" RCP. 665 L.F. of 24" HDPE Pipe. 11 each RCVRS. 5 each storm MH's. 3 each MH RCVRS. 295 L.F. of 30" HDPE pipe. 30" conc. end sect. 2,700 ± L.F. of swale. Rip-rap #100.
P.I.P. No. 459 (Pavement & Curbs)	2,150± L.F. of 30' wide AC pavement with up-right curb. 1 each temp. turnaround with standard barricade.

be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File RPIP(P11)

THE FOLLOWING RESOLUTION WAS OFFERED
BY, COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, , SECONDED BY
COUNCIL MEMBER MILLER , TO WIT:

Page 329

WHEREAS, the BELLA VISTA GROUP, 6495 Transit Road, Bowmansville, in the Town of Lancaster, New York, the owner of a parcel of property located on the east side of Transit Road, south of William Street, in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from a GB-General Business District to a CMS-Commercial Motor Service District, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of May, 1997, at 8:45 o'clock P.M., Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

File: rrezbvah.

**LEGAL NOTICE
PUBLIC HEARING
REZONE -BELLA VISTA - OIL CHANGE
TOWN OF LANCASTER**

Page 330

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of May, 1997, the said Town Board will hold a Public Hearing on the 19th day of May, 1997, at 8:45 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a GB-General Business District to a CMS-Commercial Motor Service District:

ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot Number Ninety-five (95) Township Ten (10), Range Six (6) of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point of intersection in the easterly line of Transit Road, as laid out one hundred (100) feet wide with the southerly line of said Lot Number ninety-five (95); said point of intersection being 1573 feet more or less south of the centerline of William Street as measured along the easterly line of Transit Road;

THENCE running northerly along said line of Transit Road, one hundred twenty-eight and eleven hundredths (128.11) feet to a point;

THENCE easterly at right angles to the last mentioned line, two hundred forty-five and no hundredths (245.00) feet to a point;

THENCE southerly at right angles to the last mentioned line and parallel with the easterly line of Transit Road, one hundred twenty-one and eight hundredths (121.08) feet to a point on the southerly line of said Lot Number ninety-five (95);

THENCE westerly along the southerly line of said Lot Number ninety-five (95), two hundred forty-five and ten hundredths (245.10) feet to the POINT OF BEGINNING.

Containing 0.70 more or less acres-describes the property located at 4885 Transit Road, Lancaster, N.Y.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, R.J.F. Development, J.V., 5653 Broadway, Lancaster, New York ,
has applied to the Town Board of the Town of Lancaster for permits to construct Public
Improvements upon real property in the Town of Lancaster within Parkedge Subdivision,

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit applications that he has reviewed the improvement plans and permit
applications for the installation of the public improvements requested, and that they conform to
the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Applications Nos.462, 463 and
464 of R.J.F. Development, J.V., 5653 Broadway, Lancaster, New York, for the installation of:

P.I.P. No. 462 - (Storm Sewer)	Construct approximately 5,300 L.F. of various size storm sewer, 13 manholes, 30 receivers, 3,680 L.F. of 6" yard drains, 16 L.D. receivers and 41 yard inlets. (Lots 1-69)
P.I.P. No. 463 - (Pavement & Curb)	Construction of approximately 10,640 S.Y. of asphalt concrete pavement (8" subbase, 4" Type 1 base, 2" Type 3 Binder & 1" Type 7 Op) and approximately 6,840 L.F. of NYSDOT Type B-B concrete curb. (Lots 1-69)
P.I.P. No. 464 - (Waterline)	Construct approximately 3,360 L.F. of 8" PVC water line 7 hydrants and various appurtenances. (Lots 1-69)

be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED ^{Page 332}
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 13653 to Claim No. 13866 Inclusive

Total amount hereby authorized to be paid: **\$524,141.44**

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK , WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby
 approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
 waived for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

No.	Code Applicant	Street Address	Structure
4087	Ron Kasprzyk	19 Main St	Er. Deck
4088	Iona Associate Inc	50 Rehm Rd	Er. Sin. Dwlg
4089	A Randaccio Bldrs	19 Cambridge Ct	Er. Sin. Dwlg
4090	Mark/Sharon Skiersz	6 Bentley Cir	Er. Fence
4091	Swimco Pools	11 Hillside Pkwy	Er. Fence/Pool
4092	Marvin Walsh	11 Plumb Creek Tr	Er. Shed
4093	Fischione Const Co	57 Tomahawk Tr	Er. Sin. Dwlg
4094	Michael J Metz	559 Aurora St	Er. Addition/Garage
4095	Kevin J Schupp	12 W Home Rd	Ex. Sin. Dwlg
4096	Dana Zilka	16 Riemers Ave	Er. Fence
4097	James Orr	7 Ravenwood Dr	Er. Fence
4098	Moeller Bldrs	377 Harris Hill Rd	Ex. Sin. Dwlg
4099	Robert Klaczyk	29 Michael's Wlk	Er. Shed
4100	Steven Kuntz	178 Pavement Rd	Er. Shed
4101	Darryl Steinman	484 Harris Hill Rd	Er. Fence
4102	David Merriman	99 Spohn Dr	Er. Deck/Pool
4103	Larry E Herzog	19 Cobblestone Ct	Er. Deck
4104	Jeffrey Leff	10 Fox Hunt Rd	Replace Fence
4105	Decks Unlimited Const Inc	17 Riemers Ave	Er. Deck
4106	Michael Moran	48 Running Brk Dr	Er. Deck
4107	Majestic Pools Inc	90 Southpoint Dr	Er. Fence/Pool

4108	James Jackson	5252 William St	Enclose Porch
4109	Mark Wiecek	162 Brunck Rd	Er. Deck/Pool
4110	Kenneth Holgate	65 Old Post Rd	Er. Fence
4111	Thomas Vero	12 Whitestone Ln	Er. Pool
4112	David Norris	315 Enchanted Fst N	Er. Deck
4113	Joseph Hurtubise	4429 Walden Ave	Er. Sign (2)
4114	Swimco Pools	146 Belmont Ave	Er. Fence/Pool
4115	Kent Repka	4 Nashua Ct	Er. Shed
4116	Jeff Willis	21 Cambridge Ct	Er. Shed
4117	Michael Sebastiano	2 Windsor Ridge	Er. Deck
4118	Gary Kosin	16 Grace Way	Er. Fence
4119	Mr & Mrs Batterson	23 Old Post Rd	Er. Fence
4120	Matt Stevens	15 Clermont Ct	Er. Fence
4120	Richard & Sylvia Thomas	1 Wendtworth Ct	Er. Fence
4122	William Henke	240 Schwartz Rd	Dem. Barn
4123	Kathleen D'Agostino	837 Erie St	Er. Deck
4124	Donald LoFaso	19 Rue Madeleine Way	Er. Pool
4125	Matthew Pericozzi	14 Stony Brook Dr	Er. Deck
4126	Mike & Jackie Wolfram	58 Woodgate Dr	Er. Fence, Pool
4127	Joseph Holbel	27 Cambridge Ct	Er. Shed
4128	M J Ogiony Bldrs	65 Michael's Wlk	Er. Sin. Dwlg
4129	Love Joy Gospel Church	5423 Genesee St	Er. Church
4130	Karen O'Quin	14 Daniel Dr	Er. Shed, Fence
4131	Barry Agosti	30 Southpoint Dr	Er. Shed
4132	Pamela Korta	46 Lake Fst Pkwy E	Er. Pool
4133	Brian J Chavanne	39 Whitestone Ln	Er. Deck
4134	Joseph Greco	3 Whitestone Ln	Er. Pool
4135	Richard Argentieri	49 Stream View Ln	Er. Deck
4136	Heartland Homes	15 Stream View Ln	Er. Sin. Dwlg
4137	Majestic Pools	241 Peppermint Rd	Er. Fence/Pool

and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

FILE: RBLDG.2 (P1-2)

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
STEMPNIAK, TO WIT:

WHEREAS, PHYLLIS GRECO, a Sr. Clerk Stenographer, in the Supervisor's Department, by letter dated May 5, 1997, has requested permission to carry over her 92.5 hours vacation time accrued which she cannot take by her anniversary date of May 12, 1997 due to reasons cited in her letter, and

NOW, THEREFORE, BE IT

RESOLVED, that **PHYLLIS GRECO**, a Sr. Clerk Stenographer in the Supervisor's Department, shall be permitted to carry over her ninety two and one half (92.5) hours 1996 vacation time to her 1997 year of service with the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPTNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 1997

COMMUNICATIONS:

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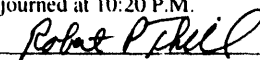
287. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney -
Transmittal of petitions for meeting to be held 5/8/97. DISPOSITION: Received and Filed
288. Town Line VFD to Town Board -
Invitation to attend annual "Community" Memorial Day Services on 5/26/97.
DISPOSITION: Received and Filed
289. Int'l Institute of Municipal Clerks to Town Clerk -
Expression of thanks for agreeing to be a co-speaker with Ms. Elizabeth Moll at the 51st Annual Conference in Buffalo in 5/20/97. Subject: "Network the Office or the Whole Building". DISPOSITION: Received and Filed
290. Barbara J. Kuhn, 4 Eastwood Pkwy, to Supervisor -
Concerns and complaints re: theatre complex off William St. and possible rezone of property on the northeast side of William St. between Eastwood North and Transit Rd.
DISPOSITION: Planning Committee
291. Council Member Montour to Building Inspector -
Request documentation concerning request that Town purchase Xerox Engineering copy machine. DISPOSITION: Received and Filed
292. Council Member Montour to Highway Supt. And Engineer -
Request meeting between the above to identify schedule when Plumbottom Creek drainage problem can be corrected. DISPOSITION: Received and Filed
293. Marilla Town Clerk to Town Clerk -
Transmittal of copy of Public Hearing Notice and amendment to Zoning Ordinance re: mines and mining in A-Agricultural Districts by Special Permit. DISPOSITION: Planning Committee
294. NYSDOT to Mr/Mrs J. Hogan, 4556 Walden Ave. -
Determination that three color signal is appropriate for intersection of Walden Ave. And Cemetery Rd. DISPOSITION: Planning Committee; Public Safety Committee, Police Chief
295. Focus on the Budget -
Release entitled "McCall backs Assembly's call to use conference committees to reach a budget agreement". DISPOSITION: Received and Filed
296. County Legislators and Supervisors Assoc. Of N.Y.S. to Supervisor -
Form entitled "Nominations Wanted for Clas's 1997 Local Government Achievement Awards". DISPOSITION: Received and Filed
297. Charles J. Seiler to Town Board -
Request reconsideration of request for trading of Town-owned land north of William St. for land south of William St. DISPOSITION: RECEIVED and Filed
298. ECDEP News Release to Supervisor -
"Erie County Department of Environment and Planning Announces Household Hazardous Waste Drop-off Day". DISPOSITION: RECEIVED and Filed
299. Lancaster Public Library to Supervisor -
Transmittal of letter to Buffalo/Erie County Public Library requesting withdrawal of Mobile Library services from southwest Lancaster area. DISPOSITION: RECEIVED and Filed
300. Town of Lancaster Senior Center to General Crew Chief -
Letter of appreciation for tour of Westwood Park on 4/9/97. DISPOSITION: RECEIVED and Filed
301. Lippes, Silverstein, Mathias & Wexler LLP to LIDA Chair. -
Offer of services re: Bond Act funding. DISPOSITION: RECEIVED and Filed
302. George O'Neil to Town Clerk -
Executed acknowledgment of conditions in resolution re: rezone petition.
DISPOSITION: Town Clerk
303. AHEPA 91, Inc. to Town Attorney and Town Clerk -
Request placement before Town and Planning Boards on 5/05/97. DISPOSITION: RECEIVED and Filed

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304. Twin District VFC to Town Clerk -
Request addition of member to roster. DISPOSITION: Received and Filed
305. General Crew Chief to Supervisor -
Request hiring of seasonal employees for the 1997 summer season. DISPOSITION:
Received and Filed
306. Police Chief to Public Safety Committee Chair. -
Request authorization to accept settlement payment from insurance company for totaled
police vehicle. DISPOSITION: Received and Filed
307. Police Chief to Nussbaumer & Clarke -
Notification of approval of Centerbrook as name for subdivision and notification of non-
approval of preliminary plat. DISPOSITION: Planning Committee
308. Police Chief to Planning Board Chair. -
Comments re: Transit/Wehrle Retail Center application for revised site plan approval.
DISPOSITION: Planning Committee
309. Disaster Preparedness Dir. to Town Board -
Minutes from meeting held 4/27/97. DISPOSITION: Received and Filed
310. Town Clerk to Supervisor -
Monthly report for April 1997. DISPOSITION: Received and Filed
311. Bowmansville VFA to NYSDOT -
Request for traffic control device for intersection of Main St. in Bowmansville and
Genesee St. DISPOSITION: Public Safety Committee; Police Chief
312. Harley E. Scott to Town Board -
Request increase in 1997 budget. DISPOSITION: Supervisor
313. Krehbiel Associates to Town Board -
Request extension of time re: conditions set in resolution approving rezoning petition of
Dunbar Development. DISPOSITION: Planning Committee
314. Governor Pataki to Town -
Initiation to participate in NYS Governors Waste Reduction and Recycling Awards
Program for 1997. DISPOSITION: Received and Filed
315. Press Release -
Notice of amendment of contract with C.I.D. Refuse Service, Inc. with changes effective
immediately. DISPOSITION: Received and Filed
316. General Crew Chief to Supervisor -
Invitation to attend Westwood Park Grand Opening Ribbon Cutting Ceremony on
5/17/97 at 11:00 a.m. DISPOSITION: Received and Filed
317. County Health Dept. To Town Board -
Transmittal of Approval of Certificate of Approval of Realty Subdivision Plans for Stony
Brook Townhomes Subdivision. DISPOSITION: Planning Committee
318. NYS Off. Of Alcoholism and Substance Abuse Services to Youth Bureau Dir. -
Congratulations on effort and response to Lancaster-Depew Youth Summit.
DISPOSITION: Received and Filed
319. NYS Off. Of Real Property Services to Supervisor -
Notice re: Residential Assessment Ratio for assessing. DISPOSITION: Assessor
320. ECDEP to Supervisor -
Transmittal of press release and brochure re: Erie County Affordable Home Ownership
Program (AHOP). DISPOSITION: Received and Filed
321. NYS Thruway Authority to Supervisor -
Status report re: eastern Buffalo area interchange evaluation study. DISPOSITION:
Received and Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPIAK, AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:20 P.M.

Signed


Robert P. Thill, Town Clerk